

SB0844



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB0844

Introduced 2/11/2015, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

730 ILCS 166/20

Amends the Drug Court Treatment Act. Provides that a defendant may be admitted into a drug court program only before adjudication. Eliminates provision that a defendant shall be excluded from a drug court program if the defendant has previously completed or has been discharged from a drug court program.

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A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Drug Court Treatment Act is amended by
5 changing Section 20 as follows:

6 (730 ILCS 166/20)

7 Sec. 20. Eligibility.

8 (a) A defendant may be admitted into a drug court program
9 only upon the agreement of the prosecutor and the defendant and
10 with the approval of the court, before adjudication.

11 (b) A defendant shall be excluded from a drug court program
12 if any of one of the following apply:

13 (1) The crime is a crime of violence as set forth in
14 clause (4) of this subsection (b).

15 (2) The defendant denies his or her use of or addiction
16 to drugs.

17 (3) The defendant does not demonstrate a willingness to
18 participate in a treatment program.

19 (4) The defendant has been convicted of a crime of
20 violence within the past 10 years excluding incarceration
21 time, including but not limited to: first degree murder,
22 second degree murder, predatory criminal sexual assault of
23 a child, aggravated criminal sexual assault, criminal

1 sexual assault, armed robbery, aggravated arson, arson,
2 aggravated kidnaping, kidnaping, aggravated battery
3 resulting in great bodily harm or permanent disability,
4 stalking, aggravated stalking, or any offense involving
5 the discharge of a firearm.

6 (5) (Blank). ~~The defendant has previously completed or~~
7 ~~has been discharged from a drug court program.~~

8 (Source: P.A. 92-58, eff. 1-1-02.)